

Subject: ***Request for Proposal***

Project: **Milwaukee County SRCCY – CMAR REQUEST FOR PROPOSAL**

Project No.: ***WS12401***

### ATTACHMENT 3

Targeted Business Enterprise (TBE)  
Specifications and Form

## MILWAUKEE COUNTY TARGET ENTERPRISE (MCTE) REQUIREMENTS

Milwaukee County Ordinance provides guidelines for inclusion of small business for construction and professional services contracts. Community Business Development Partners (CBDP) monitors the CMAR and primary subcontractor performance to confirm compliance with the Milwaukee County Target Enterprise (MCTE) Program for inclusion of small business. Target firms that qualify for counting towards the project goal include DBE firms certified under the Wisconsin Unified Certification Program following Federal regulations, WBE and MBE certifications from the State of Wisconsin DOA, SBE firms certified by Milwaukee County, and SBE firms meeting SBA size standards and listed in the SAM directory.

The Target Enterprise participation goal for this project is 25%. Submitting a proposal in response to this RFP will confirm your agreement to meet or exceed the participation goal for inclusion of small businesses. The goal will be calculated based upon the total dollar amount of the CMAR contract, and may vary for individual scopes. Some may have 0%, or a scope may be 100% performed by a certified firm.

Prior to execution of contracts, TBE forms must be submitted to CBDP to identify certified firms for review and approval to confirm that the firms meet the program requirements. TBE-14 form(s) must identify (1) the MCTE firm by name and address, (2) the scope of work/service(s) to be provided, (3) the dollar amount of such work, and (4) the percentage. The form is first completed and signed by the CMAR or sub-Prime, then forwarded to the MCTE subcontractor/ sub-consultant for signature in the affirmation section. Signatures must occur in the proper date order sequence, or the form may be considered non-responsive. A copy of the form is included for reference but is not to be submitted with the RFP proposal.

Following are links to Directories that list firms eligible for credit:

DBE <http://wisconsindot.gov/Pages/doing-bus/civil-rights/dbe/certified-firms.aspx>

MBE WBE <http://www.doa.state.wi.us/Divisions/Enterprise-Operations/Supplier-Diversity-Program>

Milwaukee County SBE <https://mke.diversitycompliance.com/Default.aspx>

SAM Directory for Federal SBE <https://www.sam.gov/SAM/>

CBDP may be contacted at 414-278-4851 or [cbdpcpliance@milwaukeecountywi.gov](mailto:cbdpcpliance@milwaukeecountywi.gov) for assistance in identifying MCTE firms and understanding the Milwaukee County Target Enterprise Program.

Adherence with prompt payment requirements is monitored through information entered into the Diversity Management and Compliance System, utilizing B2GNow software. The CMAR and all tiers of subcontractors are required to report payments received from the County and amounts paid to lower tier subcontractors/ sub-consultants. Subs will receive an automated email requesting them to confirm the amounts and whether the terms of the prompt payment policy were complied with. There is no cost to the Prime or any subcontractor, the only requirement is to become a registered user and complete the one hour webinar training. The County will enter the initial contract into the system, and the CMAR will enter all subcontractors, including both MCTE and non-MCTE firms. First tier subcontractors will enter their subs and so on until all firms have been entered. Suppliers of materials will also be entered.



# COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

## COMMITMENT TO CONTRACT WITH TBE

PROJECT No. \_\_\_\_\_ PROJECT TITLE \_\_\_\_\_

TOTAL CONTRACT AMOUNT (less allowances) \$ \_\_\_\_\_ TBE Goal: \_\_\_\_\_

Name & Address of TBE	Scope of Work Detailed Description	1) TBE Contract Amount	2) % of Total Contract

- 1) The total project contract amount is an estimate based on the outcome of negotiation between the Prime and Milwaukee County. In some situations the TBE sub-contract amount **might NOT** be based on the total project contract amount.
- 2) The **percentage** is based on the eligible scope of services that TBE participation can reasonably be obtained; which might not be based on the total project contract amount. The commitment percentage is the key indicator of TBE participation. The **Pass/Fail** determination is based on the percentage stated in the RFP/BID. If the Prime is using one or multiple TBE companies the sum of the percentages MUST satisfy the minimum percentage stated in the RFP/BID. Note the percentage indicated on this document will be viewed by CBDP the Prime's COMMITMENT to the TBE company.

### **Bidder/Proposer Commitment (To be completed by firm committing work to TBE)**

I certify that the TBE firm quoted the identified service(s) and cost(s). I further acknowledge our firm having negotiated with, and having received confirmation, on partnering, pricing and delivery from the TBE firm listed herein.

Prime Contractor/Consultant \_\_\_\_\_ Phone \_\_\_\_\_, or one of our subs, will enter into contract with the TBE firm listed, for the service(s) and amount(s) specified when awarded this contract. The information on this form is true and accurate to the best of my knowledge. I further understand that falsification, fraudulent statement, or misrepresentation will result in appropriate sanctions under applicable law.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Name & Title of Authorized Representative

\_\_\_\_\_  
Date

### **TBE Affirmation (To be completed by TBE Owner/Authorized Representative)**

- I affirm that our company is certified as (check all certifications that apply)
  - \_\_\_\_\_ DBE by the Wisconsin Unified Certification Program certifying partners
  - \_\_\_\_\_ MBE by State of Wisconsin DOA
  - \_\_\_\_\_ WBE by State of Wisconsin DOA
  - \_\_\_\_\_ SBE by SBA Federal Size Standards, NAICS and registered in SAM
  - \_\_\_\_\_ SBE by Milwaukee County
- I acknowledge and accept this commitment to contract with my firm for the service(s) and dollar amount(s) specified herein. I understand and accept that this commitment is for service(s) to be rendered in completion of the project specified herein and all work is to be completed with my own forces. I affirm that approval from CBDP will be obtained prior to subletting any portion of this work awarded to my firm on this project. I affirm that our company meets one of the following requirements: Certified as DBE and listed in the Wisconsin UCP Directory, certified as MBE or WBE with the State of Wisconsin DOA, or SBE firm certified by Milwaukee County or meets the SBA size standards and is listed in the SAM directory.

\_\_\_\_\_  
Signature of Authorized TBE Representative

\_\_\_\_\_  
Name & Title of Authorized TBE Representative

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Date

### **FOR CBDP USE ONLY**

Commitment number \_\_\_\_ of \_\_\_\_ Participation: \_\_\_\_\_ Project Total: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date



# COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

## COMMITMENT TO CONTRACT WITH TBE

### **ADDITIONAL INFORMATION & REQUIREMENTS:**

Links to Directories for firms eligible for credit:

DBE <http://wisconsin.gov/Pages/doing-bus/civil-rights/dbe/certified-firms.aspx>

MBE and WBE <http://www.doa.state.wi.us/Divisions/Enterprise-Operations/Supplier-Diversity-Program>

Milwaukee County SBE <https://mke.diversitycompliance.com/Default.aspx>

SAM Directory for Federal SBE <https://www.sam.gov/portal/SAM/#1>

1. **CONTRACT ADJUSTMENTS:** The successful Bidder/Proposer will maintain the approved TBE participation level during the term of the contract with the County, including any additional work on the contract, e.g., change orders, addendums, scope changes, or fee increases.

2. **WRITTEN CONTRACTS WITH TBE:** The County requires that the successful Bidder/Proposer enter into contract, directly or through subs, as stated in this form. Agreements must be submitted to the County within 7 days of receipt of the Notice-To-Proceed. By executing this commitment, you are certifying that you have had contact with the named TBE firm and that they will be hired if you are awarded the contract by the County.

3. **SUBSTITUTIONS, TBE SUBCONTRACTING WORK, TRUCKING FIRMS:** The successful Bidder/Proposer must submit written notification of desire for substitution to the TBE affected, and send a copy to the County, stating the reason(s) for the request. The TBE will have five (5) business days to provide written objection/acceptance of the substitution. The "right to correct" must be afforded any TBE objecting to substitution/termination for less than good cause as determined by the County. Approval must be obtained from the County prior to making any substitutions. TBE firms are required to notify and obtain approval from the County prior to seeking to subcontract out work on this project. In the case of TBE trucking firms, credit will be given for trucks leased from other TBE firms; however, if the TBE leases trucks from non-TBE firms, the commission or fee will be counted for crediting.

4. **REQUESTS FOR PAYMENT:** The successful Bidder/Proposer must indicate on the Continuation Sheet (AIA form G703, or equivalent) or invoice for consulting the work being performed by TBE by either a) placing the word "TBE" behind the work item or b) breaking out the work done by TBES at the end of the report. The successful Bidder/Proposer shall notify TBE firms of the date on which they must submit their invoices for payment.

5. **TBE UTILIZATION REPORTS:** The successful Bidder/Proposer will enter payments to subs and suppliers directly into the County's online reporting system on a monthly basis. These entries will cover payments made during the preceding month and will include zero dollar (\$0) entries where no payment has occurred.

If you have any questions related to the Milwaukee County Target Enterprise Program, please contact:

**414.278.4851** or [cbdpcompliance@milwaukeecountywi.gov](mailto:cbdpcompliance@milwaukeecountywi.gov)